

Cooley, Dalrymple, Jowers, Littleton, McDade, Nelson, Neyland, Parker, Randolph, Record, Reed, Saufley, Shannon, Shelley, Truitt and Yarbrow—21.

NAYS—Senators Bumpass, Foscue and Guinn—3.

Upon motion of Senator Braswell, House bill to incorporate the town of Clarksville, in Red River county, on its second reading, taken up, read and passed to a third reading.

Rules suspended, read third time and passed.

Upon motion of Senator Jowers, Senate bill further providing for the introduction of evidence in criminal cases, taken up and read second time.

Pending consideration of the bill, upon motion of Senator Parker, the Senate adjourned until to-morrow morning, at 9½ o'clock.

SENATE CHAMBER, }
Sept. 26, 1866. }

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—quorum present.

Journal of yesterday read and adopted.

Senator Record reported and recommended the passage of a bill to authorize the Judge of the Eighth Judicial District to hold a special term of the District Court in Davis county.

Also reports :

Hon. G. W. Jones, President of Senate :

The Judiciary Committee to whom was referred a bill to be entitled "An Act supplementary to and amendatory of an act entitled an act concerning divorce and alimony," approved Jan. 6th, 1841, have had the same under consideration, and a majority instruct me to report the same back with the following amendments, and when so amended recommend its passage :

Strike out in the caption, in the second line from the top, "and amendatory of."

Strike out Section 1, and change Section 2 to Section 1.

J. K. P. RECORD, Chairman.

Also reports :

Hon. G. W. Jones, President of Senate :

The Judiciary Committee, to whom was referred a bill to be entitled "An Act to amend the 67th and 68th Sections of an act entitled an act to regulate proceedings in the District Court," passed May 13th, 1846, have had the same under consideration, and have instructed me to report the bill back to the Senate,

and recommend its passage with the following amendments, to-wit: Add Sections 3 and 4 as follows:

SEC. 3. When interrogatories have been filed as herein provided, it shall be the duty of the clerk or other officer to issue to the proper officer a precept, commanding him to serve the notice and interrogatories by delivering the same to the party, or his or her attorney of record, and the officer shall make return on said precept how he has executed the same.

SEC. 4. That this act take effect from its passage.

J. K. P. RECORD, Chairman.

Also reports and recommends the passage of a bill to provide for districting the State of Texas into Judicial Districts.

Senator Braswell, Chairman of Committee on Internal Improvements, reports and recommends the adoption and passage of a substitute, in lieu of an original bill, to incorporate the Small Craft Water Company.

Senator Coppedge, Chairman of Committee on Counties and County Boundaries, reports and recommends the passage of a bill to create the county of Hood, and naming the county site thereof.

Also reports and recommends the passage of a bill to define the western line of Ellis county, and the boundary line of Palo Pinto, Erath and Johnson counties.

Senator Yarbrow made the following minority report:

Hon. R. H. Guinn, President pro tem. of the Senate:

The Committee on Counties and County Boundaries, to whom was referred a bill to define the western boundary line of Ellis county, and boundary lines of Palo Pinto, Erath and Johnson counties, a minority of the committee are of opinion that said bill should not pass. 1st, Because there is nothing before the Senate to show that the citizens living within the territory, proposed to be taken off of Ellis county, desire such change. 2d, Because the bill proposes to take 100 square miles off of Ellis county, which will bring the western boundary of said county (as the minority is informed and believes) within 14 miles of the present county site of Ellis county, and may jeopardize the present county site, which is about 25 miles from the eastern boundary of said county, and is a handsomely located, thriving and orderly town.

J. C. YARBROW, one of the Committee.

Senator Yarbrow, Chairman of Committee on Commerce and Manufactures, reported back a bill to incorporate the San Antonio Oil, Coal, Mining and Manufacturing Company, with the following amendments:

In Section 1st, after the word "meetings," in third line, second page, the words "at their office in San Antonio."

Senator Cook introduced bill to define the offense of vagrancy, and to provide for the punishment of vagrants.

Read first time, and referred to Judiciary Committee.

Senate bill making an appropriation for the payment of salaries of officers of the Provisional Government, and for indebtedness of the State incurred during the pendency of said Government, still remaining unpaid, with amendment by the House.

Taken up and amendment concurred in.

Senator Parker, Chairman of the Committee on Enrolled Bills, made the following report :

COMMITTEE ROOM, }
Austin, Sept. 25, 1866. }

To Hon. G. W. Jones, President of the Senate :

The Committee on Enrolled Bills have examined the following, viz :

"An Act to incorporate the Hempstead Concordia Manufacturing Company."

"An Act to incorporate the town of Denton, in Denton county "

"An Act to prohibit the sale, or otherwise disposing, of spirituous or other intoxicating liquors within six miles of Salado College."

"An Act making an appropriation for the payment of the salaries of officers of the Provisional Government, and for indebtedness of the State incurred during the pendency of said Government, still remaining unpaid."

"An Act for the regulation of pilots."

Joint resolution to pay B. H. Davis for services.

"An Act to authorize the police court of Denton county to issue bonds of the county for the purpose of erecting public buildings for the county."

"An Act to incorporate the San Antonio Mechanics' and Laborers' Association."

"An Act to incorporate the San Antonio Ice Company."

"An Act changing the boundaries of the corporation of the city of Austin."

"An Act to incorporate the town of Georgetown, in Williamson county."

"An Act to incorporate the Brazos Bridge Company," and find them correctly enrolled, properly signed, and have reported the same to the Governor for his approval.

F. J. PARKER, Chairman.

Senator Knox introduced bill amendatory of the act to establish the General Land Office now in force.

Read first time, and referred to Committee on Finance.

Senate resumed the consideration of a bill further providing for the introduction of evidence in criminal cases, pending the consideration of which the Senate had adjourned on yesterday.

Senator Record offered a substitute which was adopted.

Read second time, and ordered to be engrossed.

Upon motion of Senator Jowers, rule was suspended, bill read third time and passed.

ORDERS OF THE DAY.

Senate bill for the relief of the Eastern Texas Railroad Company, with amendments by the House, was taken up and amendments concurred in.

Senate bill to authorize Jas. E. Harrison, Sr., to erect a toll bridge over Tehuacana creek, in the county of McClennan, Texas, was taken up and amendments concurred in.

Upon motion of Senator Stell, an act to incorporate the Guadalupe Water Company, for the purposes of irrigation, navigation and manufacturing, with amendments recommended by committee, was taken up and amendments made.

Bill read second time and ordered to its third reading.

Rule suspended, bill read third time by caption and passed by the following two-thirds vote:

YEAS—Senators Braswell, Blount, Boyd, Brown, Cook, Coppedge, Dalrymple, Guinn, Jowers, Knox, Lane, Nelson, Neyland, Parker, Randolph, Record, Reed, Sanfley, Shelley, Stell, Truitt and Yarbrow—22

NAYS—Senator Foscoe—1.

Upon motion of Senator Randolph, a Senate bill to authorize the Judge of the 8th Judicial District to hold a special term of the District Court in Davis county, was taken up, read second time and ordered to be engrossed.

Rule further suspended, bill read third time and passed.

Upon motion of Senator Shelley, a Senate bill to authorize Robert S. Gould, Judge of the 13th Judicial District, to hold a special term of the District Court in Robertson county, with House amendment, taken up.

Senate refused to concur in House amendment.

Senators Boyd and Jowers were appointed a committee of conference on part of the Senate.

Senate bill to provide for the relief of debtors in certain cases was taken up, read third time and passed.

Senate bill creating the county of Hood was taken up, read second time and ordered to be engrossed.

On motion of Senator Shannon, the rule was suspended and the bill passed by the following two-thirds vote, viz:

YEAS—Senators Braswell, Blount, Brown, Bumpass, Cook, Coppedge, Dalrymple, Jowers, Knox, Lane, Littleton, McDade, Nelson, Neyland, Parker, Randolph, Record, Reed, Selman, Shannon, Shelley, Stell, Truitt and Yarbrow—24.

NAYS—Senators Cooley, Foscue and Guinn—3.

Senate bill to define the western boundary line of Ellis county, and the boundary lines of Palo Pinto, Erath and Johnson counties, taken up, read second time.

Senator Yarbrow moved to table bill and report.

Motion lost by the following vote, viz:

YEAS—Senators Bumpass, Cook, Cooley, Guinn, Lane, McDade, Record, Shelley, Truitt and Yarbrow—10.

NAYS—Senators Braswell, Blount, Boyd, Brown, Coppedge, Foscue, Jowers, Knox, Littleton, Nelson, Neyland, Randolph, Reed, Saufley, Shannon and Stell—16.

Bill ordered to be engrossed.

Senate bill to incorporate the officers and members of William Tell Lodge, No. 27, of the I. O. O. F., of the State of Texas, with amendments recommended by Judiciary Committee, was taken up.

Amendments made.

Read second time and ordered to be engrossed.

Rule suspended, read third time and passed by the following two-thirds vote, viz:

YEAS—Senators Braswell, Blount, Boyd, Brown, Bumpass, Cook, Cooley, Coppedge, Foscue, Guinn, Jowers, Knox, Lane, Littleton, McDade, Nelson, Neyland, Randolph, Record, Reed, Saufley, Selman, Shannon, Shelley, Stell, Truitt and Yarbrow—27.

NAYS—None.

Senate bill to incorporate the officers and members of Rural Encampment, No. 19, of the Independent Order of Odd Fellows of the State of Texas, with amendments recommended by Judiciary Committee, taken up.

Amendments made.

Bill read second time and ordered to be engrossed.

Rule suspended, read third time and passed by the following two-thirds vote:

YEAS—Senators Braswell, Blount, Boyd, Brown, Bumpass, Cook, Coppedge, Guinn, Jowers, Knox, Lane, Littleton, McDade, Nelson, Neyland, Parker, Randolph, Record, Reed, Saufley, Selman, Shannon, Stell, Truitt and Yarbrow—25.

NAYS—None.

Senate bill to incorporate the officers and members of St. John's Lodge, No 53, of (Ancient York) Free and Accepted Masons, with amendments recommended by Judiciary Committee, was taken up.

Amendments made.

Bill read second time and ordered to be engrossed.

Rule suspended, bill read third time and passed by the following two-thirds vote:

YEAS—Senators Blount, Boyd, Brown, Bumpass, Cook, Cooley, Coppedge, Guinn, Jowers, Knox, Lane, Littleton, McDade, Nelson, Neyland, Parker, Randolph, Record, Reed, Saufley, Selman, Shannon, Shelley, Stell, Truitt and Yarbrow—26.

NAYS—None.

Senate bill to incorporate the officers and members of Tyler Temple of Honor, No. 8, of the State of Texas.

Amendments made as recommended by committee.

Bill read second time and ordered to be engrossed.

Rule further suspended, bill read third time and passed by the following two-thirds vote:

YEAS—Senators Braswell, Blount, Boyd, Brown, Bumpass, Cook, Cooley, Coppedge, Dalrymple, Foscue, Guinn, Jowers, Knox, Lane, Littleton, McDade, Nelson, Neyland, Parker, Randolph, Record, Reed, Saufley, Selman, Shannon, Shelley, Stell, Truitt and Yarbrow—29.

NAYS—None.

Upon motion of Senator Foscue, the bill dividing the State into Judicial Districts was made special order for Friday at 11 o'clock.

Senator Neyland reported as follows:

COMMITTEE ROOM, }
Sept. 26, 1866. }

To the Hon. G. W. Jones, President of Senate:

The Committee on Engrossed Bills have examined and find correctly engrossed the following named bills, viz:

A bill to be entitled "An Act to incorporate the Texas Iron and Marble Manufacturing Company."

A bill to be entitled "An Act to grant a charter to A. Reecer to build a toll bridge across Sister Grove creek, at or near where

the McKinney and Farmersville road crosses said creek, in the county of Collin."

A bill to be entitled "An Act granting a charter to build a toll bridge across east fork of the Trinity river."

A bill to be entitled "An Act regulating contracts for labor."

Respectfully submitted.

W. M. NEYLAND,

Chairman Committee on Engrossed Bills.

Senator Selman made the following report.

Hon. G. W. Jones, President of the Senate :

The Committee on Public Lands, to whom was referred a bill to be entitled "An Act to extend the time for the payment of all dues by settlers under the acts authorizing the sale of the public domain,"

And "A bill for the relief of preemption settlers,"

Have had the same under consideration. The committee are of opinion that the bills mentioned embrace the same subject matter, and each requires some amendments, and that the whole should be embraced in one enactment. They therefore instruct me to report the accompanying substitute for both bills, and recommend its passage.

B. T. SELMAN, Chairman.

Senate bill to incorporate the Gymnastic Association of San Antonio, was taken up and read second time and ordered to be engrossed.

Rule suspended, bill read third time and passed by the following two-thirds vote:

YEAS—Senators Braswell, Boyd, Brown, Coppedge, Dalrymple, Foscoe, Guinn, Jowers, Knox, Lane, Littleton, McDade, Nelson, Neyland, Parker, Randolph, Record, Reed, Selman, Shelley, Stell, Truitt and Yarbrow—22.

NAYS—None.

House bill appropriating \$200 to pay pension of John S. Stump, with the adverse report of Committee on Finance, was taken up, and upon motion of Senator Jowers the report was adopted.

Senate bill to provide for the permanent location of the county site of Shelby county, was taken up.

Senator Yarbrow moved to amend as follows:

Amend section 1 by striking out all between the words "election," in the 8th line, and "two" in 12th line, and insert "as many places may be put in nomination as may be desired by the citizens of said Shelby county, and in case no one place shall receive a majority of all the votes cast at said election, then there shall be a second election ordered, as above directed, at which

election only the two places receiving the highest number of votes at said first election shall be put in nomination, and that the place of these two."

Amendments made.

Bill, as amended, read second time and ordered to be engrossed.

Rule suspended, bill read third time and passed.

Senate bill to incorporate the Richland Turnpike and Toll Bridge Company, was taken up and read second time and ordered to be engrossed.

Rule suspended, bill read third time and passed by the following two-thirds vote:

YEAS—Senators Braswell, Blount, Boyd, Brown, Bumpass, Coppedge, Dalrymple, Foscue, Guinn, Jowers, Lane, Littleton, McDade, Nelson, Neyland, Parker, Randolph, Record, Reed, Saufley, Selman, Shannon, Truitt and Yarbrow—24.

NAYS—None.

House bill "to authorize James L. Tarver to establish a Ferry on Big Cypress, in Upshur county," with the amendments recommended by Committee on Roads, Bridges and Ferries, was taken up, amendments made, bill as amended, read second time and ordered to its third reading.

Rule suspended, bill read third time and passed by the following two-thirds vote:

YEAS—Senators Braswell, Boyd, Brown, Cook, Coppedge, Dalrymple, Foscue, Guinn, Jowers, Knox, Littleton, McDade, Nelson, Neyland, Parker, Randolph, Saufley, Shannon, Shelley, Truitt and Yarbrow—21.

NAYS—Senator Cooley—1.

Senate bill "for the relief of the heirs of William Berryman," with amendments recommended by Committee on Private Land Claims, taken up, amendments made, read second time, and ordered to be engrossed.

Rule suspended, read third time, and passed by the following two-thirds vote, viz:

YEAS—Senators Braswell, Boyd, Brown, Bumpass, Cook, Cooley, Coppedge, Dalrymple, Jowers, Knox, Lane, Littleton, McDade, Nelson, Neyland, Parker, Randolph, Reed, Saufley, Shannon, Shelley, Stell, Truitt and Yarbrow—24.

NAYS—Senators Foscue and Guinn—2.

House bill "to change the western boundary line of the counties of Uvalde, Zavalla and Dimmitt," taken up, read second time.

Rule suspended, read third time and passed.

House bill "to organize the county of Kinney and attach the adjoining territory thereto," taken up, read second time and passed to third reading.

Rule suspended, read third time and passed.

House bill "to organize the county of Maverick," taken up, and read second time, and passed to third reading.

Rule suspended, read third time and passed.

Senator Littleton introduced a bill "to authorize the county of Karnes to levy and collect a special tax for county purposes, and to regulate the method of levying the same."

Read first time and referred to Finance Committee.

A message was received from the House, announcing the passage of the following bills :

Bill for the relief of Chas. Rossignol.

Bill for the relief of Wm. M. Cook.

Bill to authorize the Police Court of Atascosa county to levy a special tax, to be appropriated to the building of a Court-house and jail therein.

Bill to organize and define the powers of a court of criminal jurisdiction for the counties of Harris and Galveston, and to prescribe the duties thereof.

Bill to authorize M. H. Royston, State Treasurer, to destroy certain U. S. currency, supposed to be counterfeit, and to drop the same from his cash books, and also to take credit for depreciation of certain foreign coin, &c.

Bill to incorporate the Powderhorn Bayou Dredging Company.

Bill to incorporate the San Marcos Irrigation, Manufacturing and Navigation Company.

Bill to incorporate the General Insurance Company of America.

Bill granting land to Railroad Companies.

Joint resolution authorizing the Governor to investigate the seizure of cotton belonging to the State of Texas, by the Federal authorities.

Joint resolution, assuring the President of the United States of the loyalty of the people of Texas, &c.

Joint resolution, originating in the House, for the relief of Starr and other counties, taken up.

On motion of Senator Foscue, Jefferson county was added.

On motion of Senator Parker, Cameron county was added.

On motion of Senator Neyland, Orange county was added.

Resolution as amended, read second time and passed to a third reading.

Rule suspended, read third time and passed.

Senate bill to regulate the estraying of stock, in the State of Texas, on its second reading, taken up.

Senator Guinn moved to strike out the words, "first Monday," and insert: "First Tuesday."

Carried.

Senator Bumpass moved to strike out the words, "through fraud," in third line from top of 9th section, and the words, "for the purposes of gain, or for the purposes of holding such property," in fourth line same section, amendment made.

Senator Boyd moved to amend 13th section by striking out "six," and inserting "twelve."

Carried.

On motion of Senator Cooley, 3d section was amended by striking out the words, "keeping and."

Senator Record moved to amend as follows:

In section 3d, in twelfth line counting from top, strike out all after the word, "resides," to the word, "up" in eighteenth line; also, in fourth and fifth line, counting from bottom, strike out the words, "for keeping or." Amendment made.

Senator Bumpass moved to amend as follows:

Add to the bottom of 1st section:

"Provided, the animal or animals so taken up, shall not be used for any purpose whatsoever, until the party shall have given bond as required by this act."

Amendment made.

Bill as amended read second time and ordered to be engrossed.

On motion of Senator Guinn, rule suspended, read third time and passed.

COMMITTEE ROOM,
Austin, Sept. 26, 1866. }

Hon. G. W. Jones, President Senate:

The Committee on Engrossed Bills have examined and find correctly engrossed, the following bills, viz.:

A bill to be entitled "An act to prohibit the sale of ardent or spirituous liquors within five miles of Oakland College, in Johnson county, except for medical purposes."

A bill to be entitled "An act to prevent trespasses."

A bill to be entitled "An act to incorporate Oakland College."

A bill for the relief of Thomas McGehee

A bill to be entitled "An act to incorporate the Planters and Mechanics Manufacturing Company."

A bill to be entitled "An act to incorporate the Henderson, Marshall and Jefferson Railroad Company."

A bill to be entitled "An act to provide for the punishment of

persons for tampering with, persuading or enticing away, harboring, secreting or feeding laborers or apprentices, or for employing laborers or apprentices under contract of service to other persons."

A bill to be entitled "An act to prohibit the carrying of firearms on premises or plantations of any citizen without the consent of the owner."

A bill to be entitled "An act granting a charter to Robert A. Rike and E. Dobson to build a toll bridge across Pilot Grove Creek, on the direct road leading from McKinney to Greenville, by Farmersville, in Collin county."

W. M. NEYLAND, Chairman Committee.

Upon motion of Senator Reed the following House bills were taken up and referred as indicated:

A bill to be entitled "An act for the relief of Charles Rosignol."

Referred to Committee on Claims and Accounts.

Joint resolution authorizing the Governor to investigate the seizure of cotton belonging to the State of Texas by the Federal authorities.

Referred to Committee on Federal Relations.

A bill to be entitled "An act granting lands to Railroad Companies."

Referred to Committee on Internal Improvements.

"An act to incorporate the General Insurance Company of America."

Referred to Committee on Commerce and Manufactures.

"An act to incorporate the San Marcos Irrigating, Manufacturing and Navigation Company."

Referred to Committee on Commerce and Manufactures.

"An act to incorporate the Powderhorn Bayou Dredging Company."

Referred to Committee on Commerce and Manufactures.

A bill to be entitled "An act to organize and define the powers of a court of criminal jurisdiction for the counties of Harris and Galveston, and to prescribe the duties thereof."

Referred to Judiciary Committee.

"An act for the relief of Wm. M. Cook."

Referred to Committee on Public Lands.

A bill to be entitled "An act to authorize the Police Court of Atascosa county to levy a special tax, to be appropriated to the building of a court house and jail therein.

Referred to Committee on Finance.

An act to be entitled "An act to authorize M. H. Royston,

State Treasurer, to destroy certain United States currency, supposed to be counterfeit, and to drop the same from his cash and books, and also to take credit for depreciation of certain foreign coin, &c."

Referred to Committee on Finance.

Upon motion of Senator Guinn, the Senate adjourned until 10 o'clock to-morrow morning.

SENATE CHAMBER, }
September 27, 1866. }

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—quorum present.

Journal of yesterday read and adopted.

Senator Foscutt made the following report:

Hon. R. H. Guinn, President pro tem. of the Senate:

The Finance Committee, to whom was referred the unpaid claim of P. Priestly for services rendered as Chief Clerk of the State Department, during the administration of that office by Secretary R. J. Townes, have had the subject under consideration, and find that although the services have been rendered the State, and the claim a meritorious one, and ought, according to every principle of justice to be paid; yet your committee find that the Legislature is deprived of all power to provide for the payment of this and similar claims by that section of the ordinance repudiating the war debt, which also repudiates the civil debt of the State.

F. F. Foscutt,

For the Committee.

Also, reports and recommends the passage of a House bill entitled "An Act making appropriation to pay the salaries of heads of Departments, and clerks in the employment of the State Government."

Senator Record, Chairman of Judiciary Committee, reported and recommended the adoption and passage of a substitute in lieu of an original bill entitled "An Act to provide for supplying the records of the County Clerk's office of Karnes county."

Senator Braswell Chairman of Committee on Internal Improvements, made the following report:

Hon. G. W. Jones, President of Senate:

The Committee, to whom was referred a Senate bill entitled "An Act for the benefit of the Memphis, El Paso and Pacific